



**U.S. Department of Justice**  
Civil Division, Federal Programs Branch

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**BY ECF**

The Honorable Jessica S. Allen  
United States Magistrate Judge  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street Room 2B  
Newark, New Jersey 07101

Re: *Kyle-Label v. Selective Service System et al.*, Docket No. 2:15-cv-05193-KSH-JSA  
(D.N.J.)

Dear Judge Allen:

In addition to the information provided by the parties in their joint status letter, ECF No. 134, the Government also respectfully advises the Court of proceedings in the related case *National Coalition for Men ("NCFM"), et al. v. Selective Service System, et al.* In that case, a district court in the Southern District of Texas granted declaratory relief against the same Government defendants here, holding that the MSSA's male-only registration requirement violated the equal protection guarantees of the Fifth Amendment. *See* 355 F. Supp. 3d 568 (S.D. Tex. 2019). The Fifth Circuit reversed, upholding the MSSA's male-only registration requirement. *See NCFM, et al. v. Selective Service System, et al.*, 969 F.3d 546 (5th Cir. 2020). The plaintiffs in *NCFM* have a filed a petition for a writ of certiorari in the Supreme Court, which the Government has opposed. *See NCFM, et al. v. Selective Service System*, No. 20-928 (U.S. Jan 8, 2021). That petition is currently pending before the Supreme Court.

Respectfully submitted,

By: /s/ Matthew Skurnik  
MATTHEW SKURNIK  
COUNSEL FOR DEFENDANTS